TL 3803

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
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Case IDN 090697.1
Follow-up of Case IDN 090697

The International Secretariat of OMCT has been informed of the release of **Ernesto Soares, Antonio Barros, Francisco Martins, Hermenegildo Pereira, Afonso Alitalo, Baptista Guterres,** and **Jacinto Barros,** on whose behalf we called upon you to intervene in the above appeal in **East Timor.**

Brief reminder of the Situation:

The International Secretariat was informed by reliable sources of the grave concern for the physical and psychological integrity of seven East Timorese men, arrested on 29 and 30 May, 1997, in the Sub-district of Atabae, Bobaonaro.

According to the information received, **Ernesto Soares, Antonio Barros, Francisco Martins, Hermenegildo Pereira, Afonso Alitalo, Baptista Guterres,** and **Jacinto Barros** were arrested between 29 and 30 May, 1997, by members of KODIM (District Military Command) and the Rajawali battalion (Special Command Forces) and taken to KODIM headquarters in Maliana where was alleged that they were subjected to torture. It was believed that the arrests were connected to the recent Indonesian election and the refusal of the seven persons, who apparently refused to vote.

New information:

According to the new information received, **Ernesto Soares, Antonio Barros, Francisco Martins, Hermenegildo Pereira, Afonso Alitalo, Baptista Guterres,** and **Jacinto Barros** have been released.

It is believed that the seven men were arrested for their alleged involvement in the burning of two polling booths on 28 May in the Atabae area, in the lead up to the May 29th Indonesian election. They were all detained at KORAMIL (Sub-district Military Command) headquarters in Atabae before being transported to KODIM (District Military Command) headquarters in Maliana, where were detained for four days. **Jacinto Barros** was then released while **Francisco Martins, Hermenegildo Pereira, Afonso Alitalo, Baptista Guterres** were taken to POLRES in Maliana for further questioning and released on 8 June 1997.

Ernesto Soares and **Antonio Barros** were presumably charged under article 158 of the Indonesian Criminal Law Code (KUHP) and were due to appear at the Maliana State Court on 21 June but were subsequently released and the charges were dropped due to a lack of evidence.

According to the information received, the seven men were beaten by members of KOSTRAD (Army strategic Reserve Command), the Rajawali battalion, Halilintar militia (East Timorese recruited into the Indonesian military) and Gadapaksi (Pro-Integration Youth Action Group). They were handcuffed and placed in trucks and beaten with bamboo poles and blocs of wood. On the way to detention centre, they were allegedly punched, kicked and burned with cigarettes, verbally abused. The information alleges that they were apparently shot at. It is believed that **Afonso Alitalo** was so badly beaten that he had difficulty in moving.

Observations:

The International Secretariat would like to extend it's warmest thanks to all those individuals, groups, and members of OMCT SOS/Torture for their help in providing the release of **Ernesto Soares, Antonio Barros, Francisco Martins, Hermenegildo Pereira, Afonso Alitalo, Baptista Guterres,** and **Jacinto Barros.** However, we continue to express our serious concern over the great number of prisoners in East Timor prison still held without charge.

Action requested :

Please write to the Indonesian authorities urging them to:

i. take the appropriate measures to guarantee the physical and psychological integrity of all prisoners in Indonesia;

ii. order the immediate release of all those detained without valid charges or, if such charges exist, bring them before a competent impartial tribunal and guarantee their procedural rights at all times;

iii. guarantee an exhaustive and impartial enquiry into the alleged torture of **Ernesto Soares**, **Antonio Barros**, **Francisco Martins**, **Hermenegildo Pereira**, **Afonso Alitalo**, **Baptista Guterres**, and **Jacinto Barros**, identify those responsible, bring them to trial and apply appropriate penal, civil and/or administrative sanctions provided by law;

iv guarantee at all times respect for human rights and fundamental freedoms in accordance with national laws and international standards.

Addresses:

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Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

Geneva, 4 August 1997